REMARKS

Claims 1-2, 3-12 and 14-19 are pending, of which claims 1 and 12 are independent claims. Claims 3 and 13 have been cancelled.

Objection to the Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. According to the suggestion from the Examiner, Applicant uses the term "analyzer specification code" in claims 1 and 12 as amended above.

Claim Rejections under 35 USC 112

Claims 1, 2, 11, 12 and 19 are rejected under 35 USC, second paragraph, as being incomplete for omitting essential elements. Applicant has extensively amended claims 1 and 12 so that they recite the limitations organized and correlated in such a manner as to present a complete operable device. Applicant believes that the above amendment has obviated the claim rejection.

Claim Rejections under 35 USC 103

Claims 1-9 and 12-19 are rejected under 35 USC 103(a0 as being unpatentable over admissions by the Applicant in view of Mandler et al. Claim 10 is rejected under 35 USC 103(a0 as being unpatentable over admissions by Applicant in view of Mandler and further in view of Okuno et al.

The Examiner asserts in essence that the claimed subject matter is obvious because a laboratory technician performs corrective calculations on the assay result as admitted by Applicant. It is true that in the past, when a diluted sample was assayed by an analyzer without a dilution mode, a laboratory technician manually corrected the assay result before the assay result is registered in the database.

As made clear by claims 1 and 12 as amended above, the subject matter sought to be patented is not the general idea itself of correcting the assay result but a unique implementation of the idea by a computer. A general idea itself may not be patentable but Applicant believes that a unique implement of the idea may be patentable.

Referring to the limitations of claim 1, claim 1 recites "use the requested assay information stored in the database and one of the methods stored in the master file, which is selected by the computer in accordance with the requested assay information,

to calculate, and store in the database, a required total quantity necessary for the analyzer to perform the at least one requested type of assay on the sample." It is believed that the admitted and cited prior art is silent about the detailed process of "using the requested assay information and one of the methods to calculate a required total quantity."
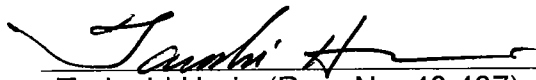
Also, the admitted and cited prior art is silent about another detailed process of "respond to reception of the assay result to examine the analyzer specification code stored in the database and determine whether the database stores the dilution instruction in order to decide whether the assay result should be corrected."

For the reasons set forth above, the pending claims are neither anticipated nor obvious in view of the cited prior art references, either independently or in combination. Reconsideration is respectfully requested.

Applicant notes that claims 11 is not rejected under 35 USC 103(a). Therefore, it is believed that claim 11 would be patentable if the other rejections are overcome. Applicant has added claim 20, which is a combination of claim 1 as amended above and claim 11.

Respectfully submitted,

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